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GVN Releases Decree for Fines for Animal Health and Feed Penalties

Report Categories:

Food and Agricultural Import Regulations and
Standards - Narrative

Approved By:

Michael Ward

Prepared By:

Bui Huong

Report Highlights:

The report provides un-official translation of Vietnam Decree 119/2013/ND-CP, dated October 9, 2013, promulgating the Regulation on Administrative Penalty in the Field of Animal Health, Livestock Breeds, and Animal Feeds. The Decree entered into force on November 25, 2013.

Summary:

Decree 119/2013/ND-CP promulgates the regulation on administrative violations; penalty methods; level of penalty and remedial measures applied to violations in the areas of animal health, animal breeds and animal feed (including fishery breeding, aquatic feed, products use for treatment of environment of livestock production and aquaculture). The Decree does not cover penalty on food safety related violations as food safety violations are covered by Government Decree 178/2013/ND-CP on the Regulation on Administrative Penalties on Violations of Food Safety (please see [VM3040](#)).

The penalty methods vary from warning and financial fine to withdrawal of business license, destruction of products, or forcing to re-export. Case by case, and depending on level of violations, one or more of the penalty methods are applied. The Decree also provides details on remedial measures applied for each kind of violation.

The maximum level of fines applied for a violation in the area of animal health and animal breeds are VND 50 million for individuals and VND100 million for organizations, respectively. The maximum level of fines applied for violation in the area of animal feed range from VND100 million for individuals and VND200 million for organizations.

For imported animals and animal products, the fine from VND30 million to VND50 million are applied for imported animals and animal products without a Health Certificate issued by the competent agency of exporting country; or failing to meet the veterinary requirements of importing country. Remedial measures applied for animals and products without Health Certificate include re-exporting or destroying the products. In the case of violations of not meeting veterinary hygiene requirements, remedial measures such as heat treatment, or to change the use of the product; or re-exporting; or destroying the product are applied.

The fine from VND40 million to VND50 million applies for imports of animal breeds that are not on the list of animal/aquatic breeds allowed for import or circulation in Vietnam. The remedial measure applied for this violation is slaughtering, pre-processing, processing or destroying.

The importation of animal feed that are not on the list of animal feed allowed for circulation in Vietnam ; or import without permission of authorized agency, is subject to a fine from VND40 million to VND50 million. The remedial measure applied for this violation is re-export or destruction of the product. In the case of imported animal feed containing banned products for use as animal feed, the fine is from VND70 million to VND100 million, and the remedial measure applied for this violation is re-exporting.

The Circular consists of six chapters as below:

Chapter I: General Provisions**Chapter II: Administrative Penalty, Method of Penalty and Remedial Measures in the Field of Animal Health.**

Section 1: Violations in the field of disease prevention, treatment and epidemic fighting for animals;

Section 2: Violations in the field of quarantine of animal/animal products; control of slaughtering activities and inspection of veterinary hygiene.

Section 3: Violation in the field of management of veterinary drugs; Bio-products; Micro-organisms, chemicals used in veterinary drugs; livestock and aquatic environment treatment products; veterinary practices.

Chapter III: Administrative Violations; Penalty Methods; Remedial Measures in the Area of Animal Breeds.

Chapter IV: Administrative Violations; Penalty Methods; Remedial Measures in the area of Animal Feed.

Chapter V: Competence to Make Minutes and Dealing with Administrative Breaches.

Chapter VI: Provision of Implementation.

The full Vietnamese version of the Decree can be downloaded from Vietnamese Government website at: http://vanban.chinhphu.vn/portal/page/portal/chinhphu/hethongvanban?class_id=1&_page=3&mode=detail&document_id=170119

Below is the un-official translation of the Decree 119/2013/ND-CP.

THE GOVERNMENT SOCIALIST REPUBLIC OF VIET NAM

Independence - Freedom - Happiness

No. 119/2013/ND-CP *Hanoi, October 9, 2013*

DECREE

Regulation on Administrative Penalty in the Fields of Animal Health, Livestock Breeds, and Animal Feeds

Pursuant to Law on organizations of Government dated December 25, 2001;

Pursuant to Law on dealing with administrative offences dated June 20, 2012;

Pursuant to Law on fisheries dated November 23, 2003;

Pursuant to Ordinance on animal health dated April 29, 2004;

Pursuant to Ordinance on livestock breeds dated March 24, 2004;

Pursuant to the Government's Decree No. 08/2010/ND-CP dated February 05, 2010, on management of livestock feeds;

At the proposal of the Minister of Agriculture and Rural Development;

The Government promulgates Decree providing for dealing with administrative offences in the fields of animal health, livestock breeds, and livestock feeds,

Chapter 1.

GENERAL PROVISIONS

Article 1. Scope of regulation

1. This Decree provides for administrative breaches, forms of dealing with and levels, remedial measures, jurisdiction for dealing with and competences of making minutes on administrative breaches in the fields of animal health, livestock breeds, and livestock feeds (including fishery breeds, fishery feeds, products for environmental treatment and rehabilitation in fishery livestock and aquaculture).
2. Administrative breaches in the fields of animal health, livestock breeds, and livestock feeds specified in this Decree include the following:
 - a) Breaches of the regulations on disease prevention and treatment, animal-epidemic fighting; quarantine of animals and animal products; control of slaughtering, preliminarily processing and processing animal products, veterinary hygiene inspection; management of veterinary drugs, bio-products, microorganisms and chemicals used for animal health; products for environmental treatment and rehabilitation in fishery livestock and aquaculture; veterinary practice;
 - b) Breaches of regulations on management and conservation of livestock gene sources; trial of new livestock breeds; production, trading, export and import of livestock breeds; management of the quality of livestock breeds;
 - c) Breaches of regulations on production and processing of livestock feeds; trading, use of livestock feeds; export and import of livestock feeds; trial of livestock feeds.
3. Other administrative breaches related to the fields of animal health, livestock breeds, and livestock feeds not specified in this Decree shall be applied in accordance with the following Decrees:
 - a) Breaches of regulations on goods prohibited from being traded; trading smuggled goods; trading counterfeit goods; counterfeit stamp, label and packages; goods with expired dates, undefined origin shall be applied with Decree on dealing with administrative breaches in the fields of trading, production, and sale of counterfeit goods, the prohibited goods, and protection for consumers' rights;
 - b) Breaches of regulations on goods' label; announcement of the applicable standards; announcement of standard conformity; announcement of technical-regulation conformity shall be applied in accordance with Decree on dealing with administrative breaches in domain of standards, measurement and quality of products and goods;
 - c) Breaches of regulations on advertisement shall be applied in accordance with Decree on dealing with administrative breaches in cultural, sport, tourism and advertisement activities;

d) Breaches of regulations on re-export of animals, animal products, loading and unloading of goods, transporting animals and/or animal products not in accordance with the roadmap shall be applied in accordance with Decree on dealing with administrative breaches and enforcement of decision on dealing with administrative breaches in the customs sector;

dd) Breaches of regulations on food safety shall be applied in accordance with Decree on dealing with administrative breaches in the field of food safety;

e) Breaches of regulations on opposing officers on duty shall be applied in accordance with Decree on dealing with administrative breaches in the fields of security, social order and safety; social vices prevention and fighting; fire prevention and fighting; family violence prevention and fighting.

Article 2. Objects to be dealt with administrative breaches

This Decree applies to organizations and individuals committing administrative breaches related to the fields of animal health, livestock breeds, and livestock feeds.

Article 3. Forms of dealing with, remedial measures

1. For each administrative breach in the fields of animal health, livestock breeds, and livestock feeds, organizations and individuals shall be subject to one of main forms of dealing with being warning or fine.

2. Depending on the nature and seriousness of their breaches, organizations or individuals committing administrative breaches may also be subject to one or all of the following additional forms of dealing with, as follows:

a) Deprivation of the right to use permits or practice certificates or suspension of operation for a definite term;

b) Confiscation of material evidence and means used for commission of administrative breaches in the fields of animal health, livestock breeds, and livestock feeds.

3. Apart from remedial measures specified in points a, b, c, d, dd, e, g, h, i, Clause 1, Article 28 of the Law on dealing with administrative breaches, individuals and organizations committing administrative breaches may also be subject to one or more than one of the following remedial measures:

a) Forcible transport of animals, animal products according to guidelines of competent agencies;

b) Forcible quarantine or re-quarantine for animals, animal products;

c) Forcible destruction of diseased animals, animal products carrying dangerous infectious pathogens;

d) Forcible change of use purpose for livestock breeds; animals, animal products; livestock feeds failing to meet quality according to standard announced for application or respective technical regulations;

- dd) Forcible veterinary hygiene inspection in respect to animal products not affixed with seal, rolled with seal of slaughtering control, veterinary hygiene stamp;
- e) Forcible slaughtering for terrestrial animals getting dangerous infectious diseases; forcible processing preliminarily, processing for diseased fishery animals;
- g) Forcible implementation of veterinary hygiene processing measures for animals, animal products not ensuring veterinary hygiene;
- h) Forcing livestock facilities to continue bringing up animals which have used prohibited substances until inspection indicates that there is no residual of prohibited substances on animals, then the facilities may sell or slaughter [animals];
- i) Forcible re-trial for livestock feeds, [the trial of which] is implemented not in accordance with the content and order of trial;
- k) Forcible re-production of veterinary drugs and livestock feeds which fail to meet quality according to standard announced for application or respective technical regulations;
- l) Forcible relocation of the livestock, aquaculture facilities to places under the master plan of competent state agencies;
- m) Forcible withdrawal of papers, which are erased, content of which is modified content or which use forged papers.

Article 4. Provisions on fine levels, jurisdiction for dealing with individuals and organizations

1. The maximum fine level in the fields of animal health, livestock breeds applicable to the breach-committing individuals shall be VND 50,000,000, applicable to the breach-committing organizations shall be VND 100,000,000.
2. The maximum fine level in the fields of livestock feeds applicable to the breach-committing individuals shall be VND 100,000,000, applicable to the breach-committing organizations shall be VND 200,000,000.
3. The fine levels stipulated in Chapter II, Chapter III, and Chapter IV of this Decree are the fine levels applicable to individuals. The fine levels applicable to organizations are equal to twice of the fine levels applicable to individuals.
4. The competence to impose fines of titles defined in Chapter V of this Decree is the competence applied to an administrative breach of individual. In case of fine, the competence to impose sanctions on organizations shall be more than twice of the competence to impose sanctions on individuals.

Chapter 2

ADMINISTRATIVE BREACHES, FORMS OF DEALING WITH, REMEDIAL MEASURES IN THE FIELD OF ANIMAL HEALTH

SECTION 1. BREACHES INVOLVING DISEASE PREVENTION AND TREATMENT, EPIDEMIC FIGHTING FOR ANIMALS

Article 5. Breaches involving disease prevention and treatment for terrestrial animals

1. A warning or fine from VND 300,000 to VND 500,000 shall be imposed on domestic animal owners conducting any of the following breaches:
 - a) Failing to conduct vaccination or other compulsory disease prevention measures for animals to prevent diseases falling within the list of diseases which must apply compulsory disease prevention measures;
 - b) Failing to comply with taking pathological samples for disease inspection and detection;
 - c) Failing to comply with compulsory vaccination or other compulsory disease prevention measures in areas of old epidemic nests, areas having already currently been threatened and are currently being threatened by epidemics.
2. A warning or fine from VND 400,000 to VND 600,000 shall be imposed on domestic animal owners committing breach of failing to notify communal veterinary officers or local veterinary agencies when suspecting that animals get dangerous infectious diseases or when detecting that animals are diseased or died too much without clear reason.
3. A warning or fine from VND 500,000 to VND 1,000,000 for domestic animal owners committing any of the following breaches:
 - a) Intentionally using veterinary drugs, which are not stated in list of veterinary drugs permitted to be circulated in Vietnam, for animal-disease prevention and treatment;
 - b) Throwing animal bodies getting infectious diseases in places not in accordance with the regulations.
4. A fine from VND 1,000,000 to VND 1,500,000 for one of breaches of intentionally erasing, modifying, falsifying content; buying, selling, hiring, borrowing certificate of inoculation for cattle and poultry.
5. A fine from VND 1,500,000 to VND 2,000,000 shall be imposed on the concentrated livestock facilities, farms, facilities producing and trading cattle and poultry breeds, which commit any of the following breaches:
 - a) Failing to comply with taking samples for periodical test of diseases at breed-producing and-trading facilities;
 - b) Failing to isolate animals before joining in herd for feeding at the concentrated animal livestock facilities;
 - c) Bringing up newly animals in time, for which the competent agencies provide for temporary husbandry suspension;

d) Conducting the concentrated husbandry of cattle and poultry, the incubation and hatch of poultry eggs or trading cattle and/or poultry at places not in accordance with master plan or without permission of competent agencies.

6. A fine from VND 2,000,000 to VND 3,000,000 shall be imposed on domestic animal owners committing breach of trading breeds getting infectious diseases.

7. A fine from VND 5,000,000 to VND 7,000,000 for breach of using veterinary drugs stated in list of veterinary drugs prohibited from being used for animal disease prevention and treatment.

8. Remedial measures are as follows:

a) Forcible destruction of animal bodies; remedy of environmental pollution in respect to breaches stipulated in point b, Clause 3 of this Article;

b) Forcible withdrawal of certificate of inoculation in respect to breach stipulated in Clause 4 of this Article;

c) Forcible relocation of livestock facilities to locations in accordance with the master plan in respect to breach stipulated in point d, Clause 5 of this Article;

d) Forcible destruction of veterinary drugs, breeds in respect to breaches stipulated in point a, Clause 3, Clause 6, and Clause 7 of this Article.

Article 6. Breaches of fighting epidemic for terrestrial animals

1. A fine from VND 1,000,000 to VND 1,500,000 shall be imposed on domestic animal owners committing any of the following breaches:

a) Failing to isolate animals which are diseased, suspected to be infected with epidemic diseases in epidemic time;

b) Pasturing the diseased animals at common pastures;

c) Failing to conduct hygiene measures, disinfection for the rearing cages and environment; treating animal bodies and waste of animals infected with epidemic disease in epidemic areas;

d) Failing to comply with use of vaccination or other compulsory epidemic preventing and fighting measures in epidemic areas.

2. A fine from VND 2,000,000 to VND 3,000,000 in respect to one of the following breaches:

a) Taking livestock feeds, livestock tools, waste of animals, which are able to spread epidemics, out of epidemic areas;

b) Transporting animal infected with epidemic disease, which must be slaughtered or destroyed, to places for slaughtering, destruction not in accordance with guidelines of veterinary agencies;

c) Slaughtering, circulating, purchasing and selling animals, products of animals, which are easy to be infected with epidemic disease already announced in epidemic areas, not in accordance with guidelines of veterinary agencies.

3. A fine from VND 3,000,000 to VND 4,000,000 in respect to one of the following breaches:

a) Bringing animals, animal products, which are easy to be infected with epidemic disease already announced, from the zone threatened by epidemic to the buffer zone or to safe zone without certificate of quarantine.

b) Transporting across epidemic areas any animal, which are easy to be infected epidemic disease already announced at such epidemic areas, without permission of the provincial People's Committees where there are epidemics;

c) Intentionally stopping of animals-transporting means or releasing animals in areas that epidemic has already been announced while they are only permitted to go pass;

d) Failing to conduct disinfection for animal-transporting means, animal products, wastes of animals, livestock feeds, other instruments related to animals after crossing epidemic areas;

dd) Using means, which are fail to satisfy conditions of veterinary hygiene, to transport animals subject to compulsory slaughtering;

e) Slaughtering, processing animals, animal bodies, which are diseased or doubted to be diseased, animal products carrying infectious pathogens under list of diseases subject to epidemic announcement, not in accordance with guidelines of veterinary agencies.

4. A fine from VND 5,000,000 to VND 6,000,000 in respect to one of the following breaches:

a) Transporting, trading animals, animal products infected with diseases in areas threatened by epidemic or buffer zones;

b) Transporting the diseased animals, animal products carrying infectious pathogens stated in List of diseases subject to epidemic announcement, out of the epidemic areas already been announced or out of the areas in which circulation has been compulsory limited;

c) Breeding or taking animals got dangerous infectious diseases out for sale while competent veterinary agencies have requested for compulsory slaughtering or destruction.

5. Remedial measures are as follows:

Forcible destruction of animals, animal products, livestock feeds, animal wastes in respect to breaches stipulated in point a and point c, Clause 2, point a and point c Clause 3, Clause 4 of this Article.

Article 7. Breaches of disease prevention, epidemic fighting for aquatic animals

1. A warning or a fine from VND 300,000 to VND 500,000 for breach of failing to conduct compulsory disease prevention for aquatic animals.
2. A warning or fine from VND 400,000 to VND 600,000 shall be imposed on owners of livestock facilities, who commit one of the following breaches:
 - a) Failing to comply with taking samples for inspection, testing to diagnose diseases, inspection on veterinary hygiene for commercial livestock facilities, facilities producing and trading aquatic breeds;
 - b) Failing to report to local veterinary agencies when detecting aquatic animals are diseased or died too much without reason.
3. A warning or fine from VND 500,000 to VND 1,000,000 shall be imposed on owners livestock facilities, who commit one of the following breaches:
 - a) Intentionally using veterinary drugs not stated in the List of veterinary drugs permitted to be circulated in Vietnam for aquatic animal-disease prevention and treatment;
 - b) Processing environment, when epidemics is happened, not in accordance with guideline of veterinary agencies.
4. A fine from VND 5,000,000 to VND 7,000,000 shall be imposed on owners of livestock facilities, who use veterinary drugs stated in List of veterinary drugs prohibited from being used for aquatic animal disease prevention and treatment.
5. Remedial measures are as follows:

Forcible destruction of veterinary drugs for breaches stipulated in point a, Clause 3, and Clause 4 of this Article.

SECTION 2. BREACHES OF QUARANTINE OF ANIMALS, ANIMAL PRODUCTS, SLAUGHTERING CONTROL, VETERINARY HYGIENE INSPECTION

Article 8. Breaches of procedures for quarantine of animals and/or animal products

1. A warning or fine from VND 300,000 to VND 500,000 for untruthful quarantine declaration about:
 - a) Quantity, volume, species of animals and categories of animal products;
 - b) Origin of animals, animal products, use purpose, address of destination;
 - c) Result of disease prevention, result of animal test and/or animal products.
2. A warning or fine from VND 500,000 to VND 700,000 for failing to declare quarantine when transporting domestically animals and/or animal products stated in List of animals and animal products subject to quarantine.

3. A fine from VND 1,000,000 to VND 1,500,000 for failing to declare quarantine when conducting export, import, temporary import for re-export, temporary export for re-import, transport from one border-gate to another border-gate, transit in Vietnam's territory of animals and/or animal products stated in List of animals and animal products subject to quarantine.

Article 9. Breaches of quarantine of terrestrial animals and animal products, which domestically circulate

1. A fine from VND 1,000,000 to VND 1,500,000 shall be imposed on of owners animals or animal products, who commit one of the following breaches:

a) Failing to conduct hygiene, disinfection for place, where animals, animal products and/or means of transport are concentrated before and after quarantine;

b) Avoiding quarantine of animals and/or animal products at focal quarantine stations on routes.

2. A fine from VND 1,500,000 to VND 2,000,000 for one of the following breaches:

a) Trading animals and/or animal products not in accordance with purpose stated in certificate of quarantine;

b) Transporting animals and/or animal products not in accordance with the compulsory route when crossing epidemic areas.

3. A fine from VND 2,000,000 to VND 3,000,000 for one of the following breaches:

a) Swapping or changing quantity of animals and/or animal products which have been issued certificate of quarantine, with animals and/or animal products which have not yet been quarantined;

b) Transporting, trading animals and/or animal products not in accordance with species, kinds, and quantity stated in the certificate of quarantine;

c) Dismantling the seal of means of transporting animals and/or animal products or changing code of marking animals during transport.

4. A fine from VND 3,000,000 to VND 4,000,000 for transporting, trading animals and/or animal products, which are stated in List of animals and animal products subject to quarantine, without certificate of quarantine.

5. Remedial measures are as follows:

a) Forcible transport of animals and/or animal products in accordance with guide of competent state agencies for breaches stipulated in point b Clause 2 of this Article;

b) Forcible quarantine or re-quarantine for breaches stipulated in point a and point b, Clause 3, Clause 4 of this Article;

c) Forcible destruction of animals and animal products for breaches stipulated in Clause 4 of this Article in case that diseased animals and/or animal products carrying dangerous infectious pathogens, which are stated in List of diseases subject to epidemic announcement, are detected through re-quarantine.

Article 10. Breaches of quarantine of aquatic animals and animal products put into domestic circulation

1. A fine from VND 3,000,000 to VND 4,000,000 for one of the following breaches:

- a) Transporting aquatic breeds out of facility producing and/or trading aquatic breeds without certificate of quarantine;
- b) Transporting aquatic breeds in exceed of 10% of quantity or not in accordance with sizes stated in certificate of quarantine.

2. A fine from VND 4,000,000 to VND 5,000,000 for one of the following breaches:

- a) Failing to conduct quarantine for commercial aquatic animals and/or aquatic animal products before bringing out of district in case that epidemic is announced in such district;
- b) Bringing the diseased aquatic animals in areas, where epidemic is announced, out of the locality without being treated or processed in accordance with guidelines of competent agencies.

3. Remedial measures are as follows:

- a) Forcible quarantine of aquatic breeds for breaches stipulated in Clause 1 of this Article;
- b) Forcible destruction or preliminarily processing of aquatic animals for breaches stipulated in Clause 2 of this Article.

Article 11. Breaches of quarantine of animals and/or animal products imported, temporarily imported for re-export, temporarily exported for re-import, transported from one border-gate to another border-gate, transited in Vietnam's territory

1. A fine from VND 2,000,000 to VND 3,000,000 for one of the following breaches:

- a) Importing animals and/or animal products by bringing along person or sending via post office not in accordance with species, kinds, quantity volume or animal products in fresh and raw or preliminarily-processed form;
- b) Failing to notify time of crossing border-gate when conducting import, temporary import for re-export, temporary export for re-import, transport from one border-gate to another border-gate, or transit in Vietnam's territory, of animals and/or animal products;
- c) Failing to declare with animal quarantine agencies at export border-gate for supervising the re-export of consignment out of Vietnam's territory.

2. A fine from VND 3,000,000 to VND 4,000,000 for import, temporary import for re-export, temporary export for re-import, transport from one border-gate to another border-gate, transit in Vietnam's territory of animals and/or animal products, with the invalid quarantine dossiers.

3. A fine from VND 4,000,000 to VND 5,000,000 for one of the following breaches:

a) Conducting import, temporary import for re-export, temporary export for re-import, transport from one border-gate to another border-gate, or transit in Vietnam's territory, of animals and/or animal products, at improper border gates;

b) Conducting import, temporary import for re-export, temporary export for re-import, transport from one border-gate to another border-gate, transit in Vietnam's territory, of animals and/or animal products, which are not in accordance with the species or categories stated in certificate of quarantine;

c) Failing to notify competent veterinary agencies to monitor isolation for quarantine after animals and/or animal products are transported to the isolated locations for quarantine;

d) Bringing the import animals and/or animal products to locations other than the approved locations to monitor isolation for quarantine or bringing animals and/or animal products to the isolated places without an sufficient quantity of animals and/or animal products in comparison with its dossier of quarantine;

dd) Putting into use and trading in respect to import animals and/or animal products in spite of failing to comply with time-limit of monitoring isolation for quarantine.

4. A fine from VND 5,000,000 to VND 6,000,000 for one of the following breaches:

a) Letting import animals, whose duration of isolation for quarantine has not ended, and animals which are temporarily imported for re-export, transported from one border-gate to another border-gate or transited, contact with the breeding animals in Vietnam's territory;

b) Failing to comply with measures of veterinary hygiene treatment for animals and/or animal products, which are imported, temporarily imported for re-export, temporarily exported for re-import, transported from one border-gate to another border-gate or transited in Vietnam's territory, without assurance of veterinary hygiene.

c) Failing to comply with measures of veterinary hygiene treatment for animal bodies, wastes, fillers, leftovers of persons and animals, packages of animal products and other wastes in the course of transport;

d) Receiving or sending pathological samples, which have not been packed and/or preserved, causing risk of spreading pathogens and/or environmental pollution.

5. A fine from VND 10,000,000 to VND 15,000,000 for throwing animal bodies, wastes, leftovers, garbage and/or other items related to consignments of goods, which are imported, temporary imported

for re-export, temporary exported for re-import, transported from one border-gate to another border-gate and/or transited in Vietnam's territory, at places in contrary to regulation of veterinary agencies.

6. A fine from VND 20,000,000 to VND 30,000,000 for import, temporary import for re-export, temporary export for re-import, transport from one border-gate to another border-gate and/or transit in Vietnam's territory of the diseased animals, animal products carrying the dangerous infectious pathogen, residuals of hazardous substances, microorganism infection in excess of the allowed limitations and/or variety infection not in conformity with the national technical regulations of veterinary hygiene.

7. A fine from VND 30,000,000 to VND 40,000,000 for one of the following breaches:

a) Importing animals and/or animal products without certificate of quarantine of competent agencies of export countries;

b) Failing to comply with measures of veterinary hygiene treatment according to decision of competent state agencies for animals and/or animal products infected pathogens in the List of animal dangerous diseases, or the list of diseases subject to epidemic announcement.

8. A fine from VND 40,000,000 to VND 50,000,000 for bringing into of Vietnam's territory the pathological samples and pathogens to animals without quarantine, or written agreement of competent state management agencies.

9. Remedial measures are as follows:

a) Forcible re-export or destruction of animals and/or animal products for breaches stipulated in point b, Clause 3 of this Article;

b) Forcible re-export, destruction or compulsory slaughtering of the diseased animals, animal products carrying dangerous infectious pathogens and/or residuals of hazardous substances for breaches stipulated in Clause 6 of this Article;

c) Forcible heat treatment or change of use purpose into raw materials of livestock feeds, in respect to animal products infected microorganisms in excess of the allowed limitations; forcible veterinary hygiene treatment for animal products suffering variety infection, for breach stipulated in Clause 6 of this Article;

d) Forcible re-export or destruction of animals, animal products, animal bodies and/or animal wastes for breaches stipulated in point d, Clause 4, point a Clause 7, Clause 8 of this Article.

Article 12. Breaches of using quarantine certificate of animals and animal products

1. A fine from VND 1,000,000 to VND 2,000,000 for breaches in hiring or borrowing quarantine certificate of animals and/or animal products.

2. A fine from VND 2,000,000 to VND 3,000,000 for one of the following breaches:

- a) Intentionally erasing, modifying and/or falsifying content stated in quarantine certificate of animals and/or animal products;
 - b) Using a quarantine certificate of animals and/or animal products for more than one consignment.
3. A fine from VND 10,000,000 to VND 15,000,000 for breach in using forged quarantine certificate of animals and/or animal products.
4. Remedial measures are as follows:

Forcible recall of quarantine certificates of animals and/or animal products for breaches stipulated in Clause 2 and Clause 3 of this Article.

Article 13. Breaches of slaughtering control of animals, preliminary processing and/or processing terrestrial animal products for trading purposes

1. A fine from VND 2,000,000 to VND 3,000,000 for one of the following breaches:
- a) Slaughtering animals at places, which are not permitted by competent state agencies;
 - b) Slaughtering, preliminarily processing, processing animals and/or animal products when failing to ensure conditions of veterinary hygiene about facilities, equipment, tools, use water and/or participants;
 - c) Failing to register the slaughtering control with veterinary agencies.
2. Fine for slaughtering animals, preliminary processing and processing animal products in accordance with the fine levels, as follows:
- a) A fine from VND 3,000,000 to VND 4,000,000 for breaches of failing to conduct hygiene for animals before slaughtering; failing to conduct hygiene, disinfection at slaughtering, preliminary processing places, animal cages; failing to treat fillers and/or wastes in the course of transport and after each time of receiving animals for slaughtering and/or preliminary processing;
 - b) A fine from VND 4,000,000 to VND 5,000,000 for breaches of failing to separate animals which are diseased, suspected of getting diseases, infected with diseases, or suspected of being infected disease, for slaughtering, or failing to comply with request of the slaughtering control officers involving separate arrangement and marking for products failing to meet standards of veterinary hygiene;
 - c) A fine from VND 5,000,000 to VND 6,000,000 shall be imposed on breaches of intentionally putting water or other substances into animals before and after slaughtering;
 - d) A fine from VND 6,000,000 to VND 7,000,000 shall be imposed on breaches of bringing died animals and/or infectious disease animals into slaughtering facilities or dispersing the death animals and/or infectious disease animals when they have not yet been inspected and processed by the veterinary agencies;

dd) A fine from VND 7,000,000 to VND 8,000,000 shall be imposed on breach of failing to treat animal and/or animal products failing to ensure veterinary hygiene;

e) A fine from VND 8,000,000 to VND 9,000,000 shall be imposed on breach of slaughtering animals, which have been inoculated vaccine for less than 15 days;

g) A fine from VND 9,000,000 to VND 10,000,000 for breaches of slaughtering the animals, preliminarily processing and/or processing animal products, which are diseased, suspected of getting diseases, infected with diseases, suspected of being infected with diseases, for which slaughtering and/or preliminary processing is prohibited;

h) A fine from VND 10,000,000 to VND 15,000,000 for breaches of slaughtering the animals, preliminarily processing and/or processing animal products, which contain substance(s) prohibited from being used in livestock;

3. Additional sanction forms:

Suspending operations of slaughtering facilities for period of from 1 to 3 months, for breaches stipulated in point g and point h, Clause 2 of this Article;

4. Remedial measures are as follows:

a) Forcible destruction of animals and/or animal products for breaches stipulated in points d, g and point h, Clause 2 of this Article;

b) Forcible veterinary hygiene treatment in respect to animals and/or animal products, for breaches stipulated in point dd, Clause 2 of this Article;

c) Forcible change of use purpose of animal products into livestock feeds for breaches stipulated in point c and point e, Clause 2 of this Article.

Article 14. Breaches of veterinary hygiene in respect to trading animals and animal products

1. A fine from 60% to 70% of the animal product value in breach, but not exceeding VND 50,000,000 for one of the following breaches:

a) Trading poultry meat and/or poultry products without seal of slaughtering control, packages and/or veterinary hygiene stamps at supermarkets, stores, single-line markets;

b) Trading cattle meat and/or cattle products without seals of slaughtering control, veterinary and/or hygiene stamps.

2. A fine from 80% to 90% of the animal product value in breach, but not exceeding VND 50,000,000 for trading animal products, which fail to meet standards of veterinary hygiene.

3. A fine from VND 1,000,000 to VND 1,500,000 shall be imposed on breach of failing to implement regulations on veterinary hygiene conditions for places of preserving and trading animals and/or animal products.
4. A fine from VND 2,000,000 to VND 3,000,000 for one of the following breaches:
- a) Instruments to display and/or tools to contain animal products, which are fail to satisfy conditions of veterinary hygiene;
 - b) Trading cattle meat and/or poultry meat, which is pumped with water or other substances.
5. A fine from 100% to 150% of the animal product value in breach, but not exceeding VND 50,000,000 for breach of trading terrestrial animals, which are diseased or died due to disease or products of such animals when the competent veterinary agencies have not yet inspected and confirmed that consumption [of such animals and its products] is permitted.
6. A fine from VND 10,000,000 to VND 15,000,000 for one of the following breaches:
- a) Trading the diseased animals, which fall within the List of diseases subject to epidemic announcement.
 - b) Trading products of animals subject to compulsory slaughtering in fresh and raw form;
 - c) Trading products of animals carrying dangerous infectious pathogens.
7. Remedial measures are as follows:
- a) Forcible veterinary hygiene inspection for animal products which are not affixed with seal, rolled with seal of slaughtering control, veterinary hygiene stamp, for breach stipulated in Clause 1 of this Article;
 - b) Forcible change of use purpose into livestock feeds for breaches stipulated in Clause 2, point b, Clause 4 of this Article;
 - c) Forcible destruction of animals and/or animal products for breaches stipulated in Clause 5, Clause 6 of this Article.

Article 15. Breaches of veterinary hygiene conditions

1. A warning or fine from VND 300,000 to VND 500,000 shall be imposed on breaches of animal livestock when barns, farming tools and/or farming places fail to satisfy veterinary hygiene conditions.
2. A fine from VND 1,000,000 to VND 1,500,000 shall be imposed on breach of transporting animals by the means, which does not satisfy the veterinary hygiene conditions in respect to area of cages, no area of containing sewage and/or wastes in the course of transport; transporting fresh and raw animal products with the use of non-specialized vehicles or vehicles not eligible for preservation in the course of transport.

3. A fine from VND 1,500,000 to VND 2,000,000 shall be imposed on breach of failing to ensure the veterinary hygiene conditions for places of concentration, loading and unloading, collection, purchase and sale of animal and/or animal products.

4. A fine from VND 2,000,000 to VND 3,000,000 for one of the following breaches:

a) Facilities of concentrated animal livestock; [facilities] producing and/or trading animal breeds are not eligible for veterinary hygiene;

b) Facilities testing, trialing and/or diagnosing animal diseases; [facilities] conducting animal surgery fail to be eligible for veterinary hygiene.

5. A fine from VND 3,000,000 to VND 4,000,000 for breaches at facilities of concentrated animal livestock; poultry incubation; [facilities of] animal slaughtering, preliminarily processing, processing and/or trading animal products; [facilities] producing breeds and breeding commercial aquatic products at a concentrated area, which are without certificate of eligibility for veterinary hygiene.

6. A fine from VND 4,000,000 to VND 5,000,000 for breaches in the case that facilities producing veterinary drugs hold a certificate of production eligibility, but fail to satisfy veterinary hygiene conditions.

7. A fine from VND 6,000,000 to VND 8,000,000 for breaches of veterinary drug production; products of environmental treatment and rehabilitation in livestock and aquaculture without a certificate of production eligibility or an eligible inspection minutes.

8. Additional sanction forms:

Suspension of operations of facilities for period of from 01 to 03 months, for breaches stipulated in Clause 5 and Clause 7 of this Article.

SECTION 3. BREACHES OF MANAGEMENT OF VETERINARY DRUGS; BIO-PRODUCTS, MICROORGANISMS AND CHEMICALS USED IN VETERINARY; PRODUCTS OF ENVIRONMENTAL TREATMENT AND REHABILITATION IN LIVESTOCK AND AQUACULTURE; VETERINARY PRACTICING

Article 16. Breaches of production, processing or dividing veterinary drugs, bio-products, microorganisms and chemicals used in veterinary (hereinafter referred to as veterinary drugs); products of environmental treatment and rehabilitation in livestock and aquaculture

1. A fine from VND 2,000,000 to VND 3,000,000 for one of the following breaches:

a) Having no dossier of production batch;

b) Failing to conduct quality inspection of raw materials, semi-products and/or finished products of veterinary drugs; products of environmental treatment and rehabilitation in livestock and aquaculture during the course of production;

- c) Producing veterinary drugs; products of environmental treatment and rehabilitation in livestock and aquaculture without notification to competent state agencies when changing components, formula, preparation form, usage route in comparison with the registration dossier;
 - d) Production facilities have no officers specialized in quality inspection of veterinary drugs; products of environmental treatment and rehabilitation in livestock and aquaculture, or person in charge of technique;
 - dd) Failing to store sample of veterinary drugs; products of environmental treatment and rehabilitation in livestock and aquaculture.
2. A fine from 70% to 80% of the product batch value in breach, but not exceeding VND 50,000,000 for breaches of producing each kind of veterinary drug; product of environmental treatment and rehabilitation in livestock and aquaculture, as follows
- a) Containing drug content in excess of allowed limitation in comparison with content stated in the label as announced or registered by manufacturers and approved by competent agencies;
 - b) Having net weight or fact volume in excess of allowed limitation in comparison with weight or volume stated in the label as announced or registered by manufacturers and approved by competent agencies.
3. A fine from 80% to 90% of the product batch value in breach, but not exceeding VND 50,000,000 for breaches of producing each kind of veterinary drug; product of environmental treatment and rehabilitation in livestock and aquaculture:
- a) Failing to satisfy standard, quality is changed in its form such as being curdy, turbid, transformed in its color, deposited sediments, bedded or transformed in its shape;
 - b) Veterinary vaccines fail to satisfy one of three standards of sterilization, safety, validity.
4. A fine from VND 8,000,000 to VND 10,000,000 for breach of producing each kind of veterinary drug; product of environmental treatment and rehabilitation in livestock and aquaculture from raw materials with undefined origin.
5. A fine from VND 10,000,000 to VND 15,000,000 for breach of producing each kind of veterinary drug; product of environmental treatment and rehabilitation in livestock and aquaculture, which are not named in List allowed to be circulated in Vietnam or without permission of competent agencies.
6. A fine from VND 20,000,000 to VND 30,000,000 for breach of producing each kind of veterinary drug; product of environmental treatment and rehabilitation in livestock and aquaculture, which contain the prohibited substances as stipulated in List of substances prohibited from being used in Vietnam.
7. A fine from VND 30,000,000 to VND 40,000,000 for breach of producing each kind of veterinary drug; product of environmental treatment and rehabilitation in livestock and aquaculture, which contain microorganisms prohibited from being used in Vietnam;

8. Additional sanction forms:

Deprivation of the right to use certificate of veterinary practice for from 01 to 03 months, for breaches stipulated in Clause 6 and Clause 7 of this Article.

9. Remedial measures are as follows:

- a) Forcible recall, re-production of veterinary drugs, products of environmental treatment and rehabilitation in livestock and aquaculture, for breaches stipulated in Clause 2 of this Article;
- b) Forcible recall, re-production of veterinary drugs, vaccines, products of environmental treatment and rehabilitation in livestock and aquaculture, for breaches stipulated in Clause 3, Clause 4, Clause 5, Clause 6 and Clause 7 of this Article.

Article 17. Breaches of trading veterinary drugs, raw materials to prepare veterinary drugs, bio-products, microorganisms and chemicals used in veterinary (hereinafter referred to as veterinary drugs); products of environmental treatment and rehabilitation in livestock and aquaculture

1. A fine from VND 2,000,000 to VND 3,000,000 for breaches of trading veterinary drugs; raw materials to prepare veterinary drugs; products of environmental treatment and rehabilitation in livestock and aquaculture with ineligible location, warehouse and/or preservation equipment.

2. A fine from VND 3,000,000 to VND 4,000,000 for one of the following breaches:

- a) Trading veterinary drugs without certificate of trading eligibility;
- b) Trading veterinary drugs; products of environmental treatment and rehabilitation in livestock and aquaculture in combination with plant protection drugs, drugs for people, foods, and/or foodstuffs;
- c) Trading veterinary drugs; products of environmental treatment and rehabilitation in livestock and aquaculture without notification to competent state agencies when changing location;

3. A fine from VND 5,000,000 to VND 6,000,000 for one of breaches of trading each kind of veterinary drug; product of environmental treatment and rehabilitation in livestock and aquaculture, as follows:

- a) Containing drug content in excess of the allowed limitation in comparison with content stated in the label as announced or registered by manufacturers and approved by competent agencies;
- b) Having net weight or fact volume in excess of the allowed limitation in comparison with weight or volume stated in the label as announced or registered by manufacturers and approved by competent agencies.

4. A fine from VND 7,000,000 to VND 8,000,000 for any of breaches of trading each kind of veterinary drug; product of environmental treatment and rehabilitation in livestock and aquaculture:

- a) Failing to satisfy the quality standard, its form is changed such as being curdy, turbid, transformed color, deposited sediments, bedded, transformed shape;

b) Veterinary vaccines fail to satisfy one of three standards of sterilization, safety, validity.

5. A fine from VND 8,000,000 to VND 9,000,000 for breach of trading each kind of veterinary drugs; products of environmental treatment and rehabilitation in livestock and aquaculture which is not stipulated in the List allowed to be circulated in Vietnam or without permission of competent agencies.

6. A fine from VND 9,000,000 to VND 10,000,000 for breach of trading each kind of veterinary drugs; products of environmental treatment and rehabilitation in livestock and aquaculture, which contains the prohibited active ingredients as stipulated in the List of active ingredients prohibited from being used in Vietnam.

7. Additional sanction forms:

Deprivation of the right to use certificate of veterinary practice for from 1 to 3 months, for breach stipulated in Clause 6 of this Article;

8. Remedial measures are as follows:

a) Forcible recall, re-production of veterinary drugs, products of environmental treatment and rehabilitation in livestock and aquaculture, for breaches stipulated in Clause 3 of this Article;

b) Forcible recall, destruction of veterinary drugs, vaccines, products of environmental treatment and rehabilitation in livestock and aquaculture, for breaches stipulated in Clause 4, Clause 5, Clause 6 of this Article.

Article 18. Breaches of import of veterinary drugs, raw materials to prepare veterinary drugs, bio-products, microorganisms and chemicals used in veterinary (hereinafter referred to as veterinary drugs); products of environmental treatment and rehabilitation in livestock and aquaculture

1. A fine from VND 4,000,000 to VND 5,000,000 for one of the following breaches:

a) Import of veterinary drugs without certificate of circulation in Vietnam; raw materials to prepare veterinary drugs without permission of competent agencies or import of products of environmental treatment and rehabilitation in livestock and aquaculture which are not named in List allowed to be circulated in Vietnam or without written acceptance of competent agencies;

b) Import of raw materials to prepare veterinary drugs which are not in accordance with categories already approved by competent agencies.

2. A fine from VND 5,000,000 to VND 6,000,000 for breaches of failing to comply with quality inspection of veterinary drugs; raw materials to prepare veterinary drugs; products of environmental treatment and rehabilitation in livestock and aquaculture, of competent state agencies.

3. A fine from 80% to 90% of the product batch value but not exceeding VND 50,000,000 for breaches of importing veterinary drugs; raw materials to prepare veterinary drugs; products of environmental treatment and rehabilitation in livestock and aquaculture, which do not satisfy the quality standard.

4. Remedial measures are as follows:

- a) Forcible re-export of veterinary drugs, raw materials to prepare veterinary drugs; products of environmental treatment and rehabilitation in livestock and aquaculture, for breaches stipulated in Clause 1, Clause 3 of this Article if breaches are detected at border gates;
- b) Forcible recall, destruction of veterinary drugs, raw materials to prepare veterinary drugs; products of environmental treatment and rehabilitation in livestock and aquaculture, for breaches stipulated in Clause 1, Clause 3 of this Article in case it is not able to re-export.

Article 19. Breaches of license, certificate, report of testing in the field of veterinary; products of environmental treatment and rehabilitation in livestock and aquaculture

1. A fine from VND 3,000,000 to VND 4,000,000 for breaches of hiring and/or borrowing one of the following papers for production, trading, trial, testing:

- a) Licenses for testing or trial of veterinary drugs; products of environmental treatment and rehabilitation in livestock and aquaculture;
- b) Certificates of veterinary drug circulation; certificates of circulating products of environmental treatment and rehabilitation in livestock and aquaculture;
- c) Competent state agencies' licenses for import of veterinary drugs; raw materials to prepare veterinary drugs; products of environmental treatment and rehabilitation in livestock and aquaculture,;
- d) Report of quality test of competent state agencies.

2. A fine from VND 4,000,000 to VND 5,000,000 for breach of intentionally erasing, modifying and/or falsifying content specified in one of the following papers:

- a) Licenses for testing or trial of veterinary drugs; products of environmental treatment and rehabilitation in livestock and aquaculture;
- b) Certificates of veterinary drug circulation; certificates of circulating products of environmental treatment and rehabilitation in livestock and aquaculture;
- c) Competent state agencies' licenses for import of veterinary drugs; raw materials to prepare veterinary drugs; products of environmental treatment and rehabilitation in livestock and aquaculture;
- d) Report of quality test of competent state agencies.

3. A fine from VND 10,000,000 to VND 15,000,000 for breach of using forged papers stipulated in Clause 1 of this Article.

4. Remedial measures are as follows:

Forcible withdrawal of papers for breach stipulated in Clause 2, Clause 3 of this Article.

Article 20. Breaches of veterinary practice

1. A warning or fine from VND 300,000 to VND 500,000 for one of breaches involving practice of inoculation, diagnosis, surgery for animals, giving prescription, providing medical treatment and health care for animals, veterinary advisory services (hereinafter collectively referred to as the veterinary service practice):

- a) Practicing not in accordance with trades, professional scope stated in certificate of practice;
- b) Failing to comply with the regime of periodical or irregular report when happening epidemics at the request of veterinary agencies;
- c) Failing to participate in activities of disease prevention and epidemic fighting for animals at the request of local authorities, veterinary agencies when animal epidemic happens;
- d) Having insufficient instruments for the practice, or instruments not ensuring veterinary hygiene.

2. A fine from VND 500,000 to VND 1,000,000 for breaches in hiring, borrowing the certificates for veterinary service practice.

3. A fine from VND 1,000,000 to VND 1,500,000 for one of the following breaches involving the veterinary service practice, as follows:

- a) Using veterinary drugs not stated in list of veterinary drugs permitted to be circulated in Vietnam when practicing;
- b) Using raw materials to prepare veterinary drugs for animal-disease prevention and treatment in contravention with regulations when practicing.

4. A fine from VND 1,500,000 to VND 2,000,000 for one of the following breaches involving the veterinary service practice, as follows:

- a) Treating for animals getting diseases, which fall within the list of diseases prohibited from being treated or infectious diseased animals which must be destroyed, compulsorily slaughtered in accordance with the regulations;
- b) Treating animals in epidemic zones or places where there is infectious diseased animal without compliance with guidelines of veterinary agencies;
- c) Using veterinary drugs, raw materials to prepare veterinary drugs which are prohibited from use when practicing.

5. A fine from VND 2,000,000 to VND 3,000,000 for breaches in using the expired practice certificates.

6. A fine from VND 3,000,000 to VND 4,000,000 for breaches of erasing and/or modifying content of the practice certificates.

7. A fine from VND 4,000,000 to VND 5,000,000 for one of breaches of practicing production, trading, testing, trial, export, import of veterinary drugs, as follows:

a) Practicing not in accordance with trades, professional scope stated in the practice certificate;

b) Practicing not in accordance with location stated in the practice certificate;

8. A fine from VND 3,000,000 to VND 4,000,000 for breach of practice persons stipulated in Clause 1 of this Article; a fine of from VND 4,000,000 to VND 5,000,000 for breaches of practice persons stipulated in Clause 7 of this Article when [practice persons] do not possess the practice certificate.

9. A fine from VND 10,000,000 to VND 15,000,000 for breaches in using the forged practice certificates for practicing.

10. Remedial measures are as follows:

a) Forcible withdrawal of the practice certificates for breaches stipulated in Clause 6, Clause 9 of this Article.

b) Forcible destruction of veterinary drugs, raw materials to prepare veterinary drugs for breaches stipulated in point a, Clause 3, point c, Clause 4 of this Article;

c) Forcible animal destruction for breaches stipulated in point a, Clause 4 of this Article.

Chapter 3

ADMINISTRATIVE BREACHES, FORMS OF DEALING WITH, REMEDIAL MEASURES IN THE FIELD OF LIVESTOCK BREEDS

Article 21. Breaches of management and conservation of livestock gene sources in conservation zones

1. A fine from VND 10,000,000 to VND 15,000,000 for breach of exploiting and using livestock gene sources in conservation zones in excess of the allowed limitation of the competent state agencies.

2. A fine from VND 20,000,000 to VND 25,000,000 for breach of exploiting or using livestock gene sources in conservation zones without permission of the competent state agencies.

3. A fine from VND 25,000,000 to VND 30,000,000 for breach of destroying livestock gene sources in conservation zones.

4. Additional sanction forms:

Confiscation of material evidences and means for breaches stipulated in Clause 1, Clause 2 and Clause 3 of this Article.

Article 22. Breaches of exploitation and conservation of precious and rare livestock gene sources in conservation zones

1. A fine from VND 3,000,000 to VND 5,000,000 for breach of exploiting and using precious and rare livestock gene sources in excess of the allowed limitation of the competent state agencies.
2. A fine from VND 5,000,000 to VND 7,000,000 for breach of any term in the national technical regulations on exploiting or using precious and rare livestock gene sources.
4. A fine from VND 10,000,000 to VND 15,000,000 for breach of destroying precious and rare livestock gene sources.
4. Additional sanction forms:

Confiscation of material evidences for breaches stipulated in Clause 1, Clause 2 and Clause 3 of this Article.

Article 23. Breaches of international exchange involving the precious and rare livestock gene sources

1. A fine from VND 20,000,000 to VND 30,000,000 for breach of international exchange involving the precious and rare livestock gene sources inconsistently with the permission content of the competent state agencies.
2. A fine from VND 40,000,000 to VND 50,000,000 for breach of international exchange involving the precious and rare livestock gene sources without permission of the competent state agencies.
3. Additional sanction forms:

Confiscation of material evidences for breaches stipulated in Clause 1 and Clause 2 of this Article.

Article 24. Breaches of trial, test of new livestock breeds

1. A fine from VND 3,000,000 to VND 5,000,000 for breaches of conducting trials, testing although there are not sufficient conditions of technical and material facilities or technical officers.
2. A fine from VND 10,000,000 to VND 15,000,000 for breach of trialing, testing in contravention with the process, content or scheme already approved by the competent state agencies.
3. A fine from VND 30,000,000 to VND 40,000,000 for breaches of announcing untruthful result of trial, testing.
4. Additional sanction forms:

Suspension of operations of trial, testing facilities for from 1 to 3 months, for breaches stipulated in Clause 3 of this Article.

5. Remedial measures are as follows:

Forcible correction of the trial, testing results for breaches stipulated in Clause 3 of this Article.

Article 25. Breaches of livestock breed production and trading

1. A fine from VND 1,000,000 to VND 3,000,000 for breaches of producing and trading livestock breeds without assurance of one of conditions of material facilities and technical equipment in accordance with the regulations.
2. A fine from VND 3,000,000 to VND 5,000,000 for breaches of producing and trading livestock breeds without dossier or without recording in dossier to monitor course of livestock breed production.
3. A fine from VND 5,000,000 to VND 10,000,000 for breaches of producing and trading purebred, prototypal, parental or nucleus breeds without technical officers.
4. A fine from VND 30,000,000 to VND 40,000,000 for breaches of producing and trading livestock breeds without recognition of trial result.
5. A fine from VND 40,000,000 to VND 50,000,000 for breach of producing or trading livestock breeds which are not named in the List of livestock breeds allowed to be produced and traded or without permission of competent state agencies.
6. Additional sanction forms:

Suspension of operation of production and trading for from 1 to 3 months, for breaches stipulated in Clause 3 and Clause 5 of this Article.

7. Remedial measures are as follows:

Forcible livestock breed destruction or slaughtering for breaches stipulated in Clause 5 of this Article.

Article 26. Breaches of production and/or trading of sperms, embryos, breeding eggs and larva

1. A fine from VND 2,000,000 to VND 3,000,000 for breaches of production and/or trading of sperms, embryos, breeding eggs and larva without the breed-monitoring books.
2. A fine from VND 3,000,000 to VND 5,000,000 for breaches of production and/or trading of sperms, embryos, breeding eggs (excluding poultry eggs, silkworm eggs and aquatic breeds) and larva without the technical officers who have been granted diplomas or certificate of training in artificial fertilization or embryonic inoculation.
3. A fine from VND 6,000,000 to VND 8,000,000 for breaches of producing and trading sperms, embryos, breeding eggs and larva without assurance of one of conditions of material facilities and technical equipment in accordance with the regulations.
4. A fine from VND 10,000,000 to VND 15,000,000 for one of the following breaches:
 - a) Producing sperms from cattle or poultry breeds which have not yet gone through individual productivity inspection;

b) Exploiting breeding eggs and larva not from purebred, prototypal, nucleus or grant-parental, parental breed stocks, except for case of exploitation in natural environment.

5. Remedial measures are as follows:

Forcible destruction of sperms, breeding eggs and larva for breaches stipulated in Clause 4 of this Article.

Article 27. Breaches of import of livestock breeds

1. A fine from VND 10,000,000 to VND 15,000,000 for breach of importing livestock breeds inconsistently with the breed ranks, breed kinds as announced.

2. A fine from VND 40,000,000 to VND 50,000,000 for breach of importing livestock breeds which are not named in List of livestock breeds allowed to be produced and traded in Vietnam or without permission of competent state agencies.

3. Remedial measures are as follows:

Forcible re-export or slaughtering, preliminary process, process or destruction of livestock breeds, aquatic breeds, for breaches stipulated in Clause 1, Clause 2 of this Article.

Article 28. Breaches of livestock breed quality in trading

1. A fine from VND 3,000,000 to VND 5,000,000 for breach of each economic and technical norm which is lower than the announced standard for goods batch with value of less than VND 50,000,000.

2. A fine from VND 5,000,000 to VND 10,000,000 for breach of each economic and technical norm which is lower than the announced standard for goods batch with value of VND 50,000,000 or more.

3. Remedial measures are as follows:

Forcing to change purpose, not using as breed for breaches stipulated in Clause 1, Clause 2 of this Article.

Article 29. Other breaches in the field of aquatic breed production and trading

1. A fine from VND 3,000,000 to VND 4,000,000 for each following breach:

a) Conducting aquatic breed nursery without technical officers or with technical officers having no certificate of training with suitable qualification;

b) Transporting breeds which have not yet reached the commercial rearing size in accordance with the regulations out of facility without dossier, documents to prove of transport for aquatic breed nursery.

2. A fine from VND 5,000,000 to VND 6,000,000 for each following breach:

a) Breach of regulations on number of reproduction or use time or the allowed time to put into reproduction of the key parental aquatic breeds;

b) Failing to inspect disease test before letting reproduction for the key parental aquatic breeds.

3. A fine from VND 10,000,000 to VND 15,000,000 for each following breach:

a) Letting reproduction of parental aquatic breeds or production of and trading parental aquatic breeds without technical officers, who possess suitable professional diplomas or certificate;

b) Failing to conduct the quality inspection of import aquatic breeds.

4. A fine from VND 30,000,000 to VND 40,000,000 for each following breach:

a) Location of aquatic breed production and trading is not located in the planning zone of locality or without permission of competent state agencies;

b) Using the parental aquatic breed stocks which fail to ensure quality.

5. Remedial measures are as follows:

a) Forcible destruction or change of use purpose, not using as breeds for breaches stipulated in point b, Clause 4 of this Article;

b) Forcible relocation of aquatic breed production facilities for breaches stipulated in point a, Clause 4 of this Article to the stipulated locations.

Article 30. Breaches of certificate, written permission, license involving livestock breeds

1. A fine from VND 1,000,000 to VND 3,000,000 for one of the following breaches:

a) Letting others use one's own professional certificate involving livestock breed;

b) Hiring, borrowing, using others' professional certificate involving livestock breed;

2. A fine from VND 3,000,000 to VND 4,000,000 for breach of intentionally erasing, modifying and/or falsifying content of the following papers:

a) Professional certificate involving livestock breed;

b) License for export, import of livestock breeds;

c) Decision on appointment of trial, test of livestock breeds.

3. A fine from VND 10,000,000 to VND 15,000,000 for breach of forging papers, application dossiers for papers stipulated in Clause 2 of this Article but not serious to the extent of being examined for criminal liability.

4. Remedial measures are as follows:

Forcible withdrawal of licenses, professional certificates for breaches stipulated in Clause 2, Clause 3 of this Article.

Article 31. Breaches of regulations on bio-safety in livestock

1. A fine from VND 500,000 to VND 1,000,000 shall be imposed on farming livestock facilities, which commit any of the following breaches:

- a) Animal stables built inconsistently with technical requirement influencing to veterinary and environmental hygiene in livestock;
- b) Committing breach of regulations on the livestock process influencing to food safety;
- c) Failing to register, declare the livestock contents for domestic animals subject to registration and declaration.

2. Remedial measures are as follows:

Forcing to take measures to remedy environmental pollution for breaches stipulated in point a Clause 1 of this Article.

Chapter IV

ADMINISTRATIVE BREACHES, FORMS OF DEALING WITH, REMEDIAL MEASURES IN THE FIELD OF LIVESTOCK FEEDS

Article 32. Breaches of conditions for producing and processing livestock feeds

1. A fine from VND 5,000,000 to VND 10,000,000 for breaches of producing and processing livestock feeds without technical officers.

2. A fine from VND 10,000,000 to VND 15,000,000 for one of the following breaches:

- a) Failing to have waste treatment system to ensure requirement on environmental hygiene;
- b) Failing to have sufficient equipment to ensure requirements for facilities producing and processing livestock feeds as stipulated in the respective technical regulations;
- c) Factories fail to ensure requirements for facilities producing and processing livestock feeds as stipulated in the respective technical regulations.

3. A fine from VND 15,000,000 to VND 20,000,000 for breaches of having no analysis and testing room for livestock feed quality or having no contract of hiring analysis and testing at other analysis room.

4. Additional sanction forms:

- a) Suspension of operation for from 1 to 3 months, for case of repeating breaches stipulated in point a Clause 2 of this Article.

b) Suspension of operation for from 1 to 3 months, for breaches stipulated in Clause 3 of this Article.

Article 33. Breaches of producing and processing livestock feeds

1. A fine from VND 5,000,000 to VND 7,000,000 for each following breach:

a) Failing to save trial result in accordance with regulation;

b) Failing to save product sample in accordance with regulation;

2. A fine from VND 10,000,000 to VND 15,000,000 for breaches of producing and processing feeds which use each kind of expired raw materials.

3. A fine from VND 15,000,000 to VND 20,000,000 for breach of producing and/or processing each livestock feed product which is not named in List of livestock feeds allowed to be circulated in Vietnam or without written permission of competent state agencies.

4. A fine from 10% to 15% of the infringing goods batch value, but not exceeding VND 100,000,000 for one of the following breaches of producing and processing livestock feed products, as follows:

a) Containing quantitative content of each main substance just obtaining level of from 90% to less than 95% in comparison with the standard already announced or stated in goods label;

c) Containing quantitative content of each substance causing unsafety stipulated in the national technical regulations in excess of from 5% to less than 10%.

5. A fine from 15% to 20% of the goods batch value in breach, but not exceeding VND 100,000,000 for one of the following breaches of producing and processing livestock feed products, as follows:

a) Containing quantitative content of each main substance just obtaining level of from 80% to less than 90% in comparison with the standard already announced or stated in goods label;

c) Containing quantitative content of each substance causing unsafety stipulated in the national technical regulations in excess of from 10% to less than 20%.

6. A fine from 20% to 30% of the goods batch value in breach, but not exceeding VND 100,000,000 for one of the following breaches of producing and processing livestock feed products, as follows:

a) Containing quantitative content of each main substance just obtaining level of from 70% to less than 80% in comparison with the standard already announced or stated in goods label;

b) Containing quantitative content of each substance causing unsafety stipulated in the national technical regulations in excess of 20% or more.

7. A fine from VND 40,000,000 to VND 50,000,000 shall be imposed on facilities, which commit breach and continuing the production and processing of livestock feeds during time of suspension of livestock feed production and processing as requested by competent state agencies.

8. Remedial measures are as follows:

- a) Forcible change of use purpose of all livestock feeds for breaches stipulated in Clause 2 and Clause 7 of this Article; in case it is not able to change use purpose, destruction is forced;
- b) Forcible recall, destruction of all livestock feeds for breaches stipulated in Clause 3 of this Article;
- c) Forcible re-production of all products to ensure quality standards as already announced or the national technical regulations (if any) for breaches stipulated in Clause 6 of this Article; in case it is not able to re-product, change of use purpose or forcible destruction is conducted.

Article 34. Breaches of conditions for trading livestock feeds

1. A fine from VND 500,000 to VND 1,000,000 for one of the following breaches:

- a) Having no store or trading head office;
- b) Store, head office having no trading signboard;
- c) Changing trading address without notification to competent state agencies.

2. A fine from VND 2,000,000 to VND 3,000,000 for one of the following breaches:

- a) Failing to have instruments, equipment, means to contain, store or transport of livestock feeds in accordance with regulations for each product kind;
- b) Arranging livestock feeds jointly with veterinary drugs without separate area or cupboard, stall.

3. A fine from VND 3,000,000 to VND 5,000,000 for breaches of arranging livestock feeds jointly with plant protection drugs, fertilizers or other hazardous chemicals.

Article 35. Breaches of trading livestock feeds

1. A fine from VND 5,000,000 to VND 10,000,000 for breaches of trading each expired livestock feed product.

2. A fine from VND 10,000,000 to VND 15,000,000 for breach of trading each livestock feed product which is not named in List of livestock feeds allowed to be circulated in Vietnam.

3. A fine from 10% to 15% of the goods batch value in breach, but not exceeding VND 100,000,000 for one of breaches of trading livestock feed products, as follows:

- a) Containing quantitative content of each main substance just obtaining level of from 90% to less than 95% in comparison with the standard already announced or stated in goods label;
- b) Containing quantitative content of each substance causing unsafety stipulated in the national technical regulations in excess of from 5% to less than 10%.

4. A fine from 15% to 20% of the goods batch value in breach, but not exceeding VND 100,000,000 for one of breaches of trading livestock feed products, as follows:

- a) Containing quantitative content of each main substance just obtaining level of from 80% to less than 90% in comparison with the standard already announced or stated in goods label;
- b) Containing quantitative content of each substance causing unsafety stipulated in the respective national technical regulations in excess of from 10% to less than 20%.

5. A fine from 20% to 25% of the goods batch value in breach, but not exceeding VND 100,000,000 for one of breaches of trading livestock feed products, as follows:

- a) Containing quantitative content of each main substance just obtaining level of from 70% to less than 80% in comparison with the standard already announced or stated in goods label;
- b) Containing quantitative content of each substance causing unsafety stipulated in the respective national technical regulations in excess of 20% or more.

6. Remedial measures are as follows:

- a) Forcible change of use purpose of all livestock feeds for breaches stipulated in Clause 1 and Clause 2 of this Article; in case it is not able to change use purpose, destruction is forced;
- b) Forcible re-production of all products to ensure quality standards as already announced or the national technical regulations (if any) for breaches stipulated in Clause 5 of this Article; in case it is not able to re-product, change of use purpose or forcible destruction shall be conducted.

Article 36. Breaches of using prohibited substances in livestock and production, processing of, trading livestock feeds

1. A fine for the following breaches:

- a) A fine from VND 5,000,000 to VND 10,000,000 for using the prohibited substances in livestock of peasant households;
- b) A fine from VND 10,000,000 to VND 20,000,000 for using the prohibited substances in farming livestock.
- c) A fine from VND 7,000,000 to VND 100,000,000 for using the prohibited substances in livestock feed production, processing and trading.

2. Additional sanction forms:

Suspension of operations of the livestock feed production, processing and trading for from 1 to 3 months, for breaches stipulated in point c, Clause 1 of this Article.

3. Remedial measures are as follows:

a) Forcing the livestock facility to continue rearing domestic animals used the prohibited substances until they are tested to not have residuals of the prohibited substance , after that they are allowed selling or slaughtering for breaches stipulated in point a and point b Clause 1 of this Article; forcible destruction of domestic animals in case of repeating breaches.

b) Forcing the infringing facility to destroy all the prohibited substances, livestock feeds with the prohibited substances for breaches stipulated in Clause 1 of this Article.

Article 37. Breaches of import of livestock feeds

1. A fine from VND 15,000,000 to VND 20,000,000 for any of breaches of importing livestock feeds:

a) Containing quantitative content of each quality norm just obtaining level of from 90% to less than 95% in comparison with the standard already announced or stated in goods label;

b) Containing quantitative content of each substance causing unsafety stipulated in the national technical regulations or in the announced standards in excess of from 5% to less than 10%.

2. A fine from VND 20,000,000 to VND 30,000,000 for any of breaches of importing livestock feeds, as follows:

a) Containing quantitative content of each quality norm just obtaining level of from 80% to less than 90% in comparison with the standard already announced or stated in goods label;

b) Containing quantitative content of each substance causing unsafety stipulated in the national technical regulations or in the announced standards in excess of from 10% to less than 20%.

3. A fine from VND 30,000,000 to VND 40,000,000 for any of breaches of importing livestock feeds, as follows:

a) Containing quantitative content of each quality norm just obtaining level of from 70% to less than 80% in comparison with the standard already announced or stated in goods label;

b) Containing quantitative content of each substance causing unsafety stipulated in the national technical regulations or in the announced standards in excess of 20% or more.

4. A fine from VND 40,000,000 to VND 50,000,000 for breach of importing each livestock feed product, which is not named in the List of livestock feeds allowed to be circulated in Vietnam or without written permission of competent state agencies.

5. A fine from VND 70,000,000 to VND 100,000,000 for breach of importing each livestock feed product which contains the prohibited substances in List of livestock feeds prohibited to be produced and circulated in Vietnam.

6. Remedial measures are as follows:

- a) Forcible re-announcement of actual quality of products for breaches stipulated in Clause 1, Clause 2 of this Article.
- b) Forcible re-production of all import livestock feeds so as to ensure quality standards as already announced or the national technical regulations (if any) for breaches stipulated in point a Clause 3 of this Article; in case it is not able to re-product, re-export or destruction shall be forced.
- b) Forcible re-export or destruction of all import livestock feeds for breaches stipulated in point b, Clause 3 and Clause 4 of this Article;
- d) Forcible re-export of all import livestock feeds for breaches stipulated in Clause 5 of this Article.

Article 38. Breaches of trial of livestock feeds

1. A fine for any of breaches of livestock feed trial according to the following fine levels:
 - a) A fine from VND 3,000,000 to VND 5,000,000 shall be imposed on trial facilities, which do not ensure veterinary hygiene, environmental hygiene;
 - b) A fine from VND 5,000,000 to VND 10,000,000 shall be imposed on trial facilities, which have no technical officers;
 - c) A fine from VND 10,000,000 to VND 15,000,000 shall be imposed on trial facilities which have insufficient material facilities, equipment in conformity with trial of each livestock feed kind as registered.
2. A fine from VND 15,000,000 to VND 20,000,000 shall be imposed on trial facilities which fail to comply with process, content or scheme already approved by the competent state agencies.
3. A fine from VND 20,000,000 to VND 30,000,000 for announcement of an untruthful trial result.
4. Remedial measures are as follows:
 - a) Forcing to re-trial the livestock feeds and pay all cost of trial for breaches stipulated in Clause 2 of this Article.
 - b) Forcible correction of the trial results for breaches stipulated in Clause 3 of this Article.

Chapter V

COMPETENCE TO MAKE MINUTES AND DEALING WITH ADMINISTRATIVE BREACHES

Article 39. Competence to make minutes of administrative breaches

1. Persons have the competence to deal with administrative breaches stipulated in Articles 40, 41, 42, 43 of this Decree.

2. Animal quarantine, heads of stations, deputies of district-level veterinary stations, civil servants, public employees of veterinary, livestock, aquatic product, agricultural, forest and fishery quality management sectors, on their duties, upon detecting in the fields of veterinary, livestock breeds, livestock feeds, have rights to make minutes of administrative breaches for breaches under their assigned missions and takes responsibility for making minutes.

Article 40. Competence of chairpersons of People's Committees

1. The chairpersons of communal People's Committees have the following rights:

- a) To impose a warning;
- b) To fine up to VND 5,000,000 in the fields of veterinary, livestock breeds, and livestock feeds;
- c) Confiscation of material evidences, means used for committing administrative breaches with value not exceeding the fine level stipulated in point b Clause 1 of this Article;
- d) Application of remedial measures stipulated in points a, b, c and dd Clause 1 Article 28 of the Law on handling of administrative breaches.

2. The chairpersons of district-level People's Committees have the following rights:

- a) To impose a warning;
- b) To fine up to VND 25,000,000 in the fields of veterinary, livestock breeds; fine up to VND 50,000,000 in the fields of livestock feeds;
- c) To deprive the right to use licenses, practice certificate for a defined term or suspend operation for a defined term;
- d) To confiscate material evidences, means used for committing administrative breaches with value not exceeding the fine level stipulated in point b Clause 2 of this Article;
- d) To apply remedial measures stipulated in points a, b, c, dd, e, h and I, Clause 1, Article 28 of the Law on handling of administrative breaches and remedial measures stipulated in Clause 3 Article 3 of this Decree.

3. The chairpersons of provincial People's Committees have rights:

- a) To impose a warning;
- b) To fine up to VND 50,000,000 in the fields of veterinary, livestock breeds; fine up to VND 100,000,000 in the fields of livestock feeds;
- c) To deprive the right to use licenses, practice certificate for a defined term or suspend operation for a defined term;
- d) To confiscate material evidences, means used for committing administrative breaches;

dd) To apply remedial measures stipulated in points a, b, c, d, dd, e, g, h and i, Clause 1, Article 28 of the Law on handling of administrative breaches and remedial measures stipulated in Clause 3 Article 3 of this Decree.

Article 41. Competence of inspectorate

1. Inspectors, persons assigned execution of tasks of specialized inspection on veterinary, livestock, aquatic product, agricultural, forest and fishery quality management, on their duties, have the following rights:

- a) To impose a warning;
- b) To fine up VND 500,000;
- c) To confiscate material evidences, means used for committing administrative breaches with value not exceeding the fine level stipulated in point b, Clause 1 of this Article;
- d) To apply remedial measures stipulated in points a, c and dd, Clause 1, Article 28 of the Law on handling of administrative breaches.

2. The Chief Inspector of provincial Departments of Agriculture and Rural Development, directors of Sub-departments of veterinary, aquatic products, agricultural, forest and fishery quality management; heads of specialized inspectorate teams of the provincial Departments of Agriculture and Rural Development have the following rights:

- a) To impose a warning;
- b) To fine up to VND 25,000,000 in the fields of veterinary, livestock breeds; fine up to VND 50,000,000 in the field of livestock feeds;
- c) To deprive the right to use licenses, practice certificate for a defined term or suspend operation for a defined term;
- d) To confiscate material evidences, means used for committing administrative breaches with value not exceeding the fine level stipulated in point b, Clause 2 of this Article;
- dd) To apply remedial measures stipulated in points a, b, c, d, dd, e, g, h and i, Clause 1, Article 28 of the Law on handling of administrative breaches and remedial measures stipulated in Clause 3 Article 3 of this Decree.

3. Heads of the specialized inspectorate teams of the Ministry of Agriculture and Rural Development have the following rights:

- a) To impose a warning;
- b) To fine up to VND 35,000,000 in the fields of veterinary, livestock breeds; fine up to VND 70,000,000 in the field of livestock feeds;

c) To deprive the right to use licenses, practice certificates for a defined term or suspend operation for a defined term;

d) To confiscate material evidences, means used for committing administrative breaches with value not exceeding the fine level stipulated in point b Clause 3 of this Article;

dd) To apply remedial measures stipulated in points a, b, c, d, dd, e, g, h and i, Clause 1, Article 28 of the Law on handling of administrative breaches and remedial measures stipulated in Clause 3 Article 3 of this Decree.

4. The Chief Inspector of the Ministry of Agriculture and Rural Development, general director of the Directorate of Fisheries, director of Veterinary Department, director of Livestock Department, Director of National Agro-Forestry-Fisheries Quality Assurance Department have the following rights:

a) To impose a warning;

b) To fine up to VND 50,000,000 in the fields of veterinary, livestock breeds; fine up to VND 100,000,000 in the field of livestock feeds;

c) To deprive the right to use licenses, practice certificates with a defined term or suspend operation with a defined term;

d) To confiscate material evidences, means used for committing administrative breaches;

dd) To apply remedial measures stipulated in points a, b, c, d, dd, e, g, h and i, Clause 1, Article 28 of the Law on handling of administrative breaches and other remedial measures stipulated in Clause 3 Article 3 of this Decree.

Article 42. Competence of People's Public Security agencies

1. Soldiers of People's Public Security on duty have the following rights:

a) To impose a warning;

b) To fine up to VND 500,000 in the fields of veterinary, livestock breeds, and livestock feeds.

2. Chiefs of stations, teams or persons stipulated in Clause 1 of this Article have the following rights:

a) To impose a warning;

b) To fine up to VND 1,500,000 in the fields of veterinary, livestock breeds, and livestock feeds.

3. Chiefs of commune-level police office have the following rights:

a) To impose a warning;

b) To fine up to VND 2,500,000 in the fields of veterinary, livestock breeds, and livestock feeds;

c) To confiscate material evidences, means used for committing administrative breaches with value not exceeding the fine level stipulated in point b Clause 3 of this Article;

d) To apply remedial measures stipulated in points a, c and dd, Clause 1, Article 28 of the Law on handling of administrative breaches.

4. Chiefs of district-level Public Security office; chiefs of professional divisions under the Traffic Police Department for roadway, railway, chiefs of professional divisions under Waterway Police Department; chiefs of the provincial divisions of public security including chief of police division for Investigating Crimes on Economic and Position Management Order, chief of waterway police division, chief of police division for prevention and fighting of environment crimes have the following rights:

a) To impose a warning;

b) To fine up to VND 10,000,000 in the fields of veterinary, livestock breeds; fine up to VND 20,000,000 in the field of livestock feeds;

c) To deprive the right to use licenses, practice certificates for a defined term or suspend operation for a defined term;

d) To confiscate material evidences, means used for committing administrative breaches with value not exceeding the fine level stipulated in point b Clause 4 of this Article;

dd) To apply remedial measures stipulated in points a, c and dd, Clause 1, Article 28 of the Law on handling of administrative breaches and other remedial measures stipulated in Clause 3 Article 3 of this Decree.

5. Directors of the provincial Public Security Offices have the following rights:

a) To impose a warning;

b) To fine up to VND 25,000,000 in the fields of veterinary, livestock breeds; fine up to VND 50,000,000 in the field of livestock feeds;

c) To deprive the right to use licenses, practice certificates for a defined term or suspend operation for a defined term;

d) To confiscate material evidences, means used for committing administrative breaches with value not exceeding the fine level stipulated in point b, Clause 5 of this Article;

dd) To apply remedial measures stipulated in points a, c, dd and i, Clause 1, Article 28 of the Law on handling of administrative breaches and other remedial measures stipulated in Clause 3 Article 3 of this Decree.

6. Director of Police Department for Investigating Crimes on Economic and Position Management Order, Director of Traffic Police Department for road and railway, Director of Waterway Police

Department, Director of Police Department for prevention and fighting of environment crimes have the following rights:

- a) To impose a warning;
- b) To fine up to VND 50,000,000 in the fields of veterinary, livestock breeds; fine up to VND 100,000,000 in the field of livestock feeds;
- c) To deprive the right to use licenses, practice certificates for a defined term or suspend operation for a defined term;
- d) To confiscate material evidences, means used for committing administrative breaches;
- dd) To apply remedial measures stipulated in points a, c, dd and i, Clause 1, Article 28 of the Law on handling of administrative breaches and other remedial measures stipulated in Clause 3 Article 3 of this Decree.

Article 43. Competence of other agencies in dealing with administrative breaches

1. Customs agencies' persons have the competence to sanction may have the competence to sanction administratively and apply remedial measures for administrative breaches stipulated in this Decree and related to export, import of animals, animal products, veterinary drugs, livestock breeds, livestock feeds under their management fields, sectors as stipulated in Article 42 and Article 52 of Law on handling of administrative breaches.
2. Market management agencies' persons have the competence to sanction may have the competence to inspect, make minutes on administrative breaches, sanction administratively and apply remedial measures for administrative breaches stipulated in this Decree under their management fields, sectors as stipulated in Article 45 and Article 52 of Law on handling of administrative breaches.
3. Other specialized inspectorate agencies' persons competent to sanction have the right to inspect, make minutes on administrative breaches, sanction administratively and apply remedial measures for administrative breaches stipulated in this Decree under their management fields, sectors as stipulated in Article 46 and Article 52 of Law on handling of administrative breaches.

Chapter VI

PROVISIONS OF IMPLEMENTATION

Article 44. Implementation effective

1. This Decree shall be of full force and effect from November 25, 2013.
2. This Decree replaces the following Decrees:
 - a) The Government's Decree 8/2011/ND-CP dated January 25, 2011, on dealing with administrative breaches involving livestock feeds.

b) The Government's Decree 47/2005/ND-CP dated April 08, 2005, on dealing with administrative breaches in the field of livestock breeds;

c) The Government's Decree 40/2009/ND-CP dated April 24, 2009, on dealing with administrative breaches in the field of veterinary.

Article 45. Transitional provisions

For administrative breaches in the fields of veterinary, livestock breeds, livestock feeds which happened before the effective day of this Decree and are detected after that or are being considered, settled, provisions beneficial for the breach-committing organizations and individuals are applied.

Article 46. Responsibility for implementation

1. The Minister of Agriculture and Rural Development shall provide for detailed guidelines and organize implementation of this Decree.

2. Ministers, Heads of ministerial-level agencies, Heads of Governmental agencies, chairpersons of People's Committee of provinces, centrally-run cities shall implement this Decree.

Recipients:

- The Secretariat of the Party Central Committee;
- The Prime Minister, Deputy Prime Ministers;
- Ministries, ministerial-level agencies, the agencies attached Government;
- People's Councils, People's Committees of centrally-run provinces and cities;
- The Central Office and the Committees of the Party;
- The Office of the General Secretary;
- The Office of the President;
- The Ethnic Council and Committees of the National Assembly;
- The Office of the National Assembly;
- The Supreme People's Court;
- The Supreme People's Procuracy;
- The State Auditor;
- National Financial Supervisory Committee;
- The Bank for Social Policies;
- Vietnam Development Bank;
- The Central Committee of the Vietnam Fatherland Front;
- Central offices of the unions;
- The Government Office: Minister-Chairman, Vice Chairmen, Prime Minister's Assistant, E-portal, departments, division, subordinate units, the Gazette;
- Keep as archives: at Office, KTN (3b).

**ON BEHALF OF THE
GOVERNMENT
PRIME MINISTER**

(signed)

Nguyen Tan Dung